

News from the FPPC



California Fair Political Practices Commission
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For Immediate Release: November 12, 2010

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FPPC Enforcement Decisions: November 12, 2010

The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held in Sacramento on Friday, November 12, 2010. Decisions are listed by category and include a brief summary of each case and the total amount of any administrative fine or fines in each case.

Additional information on each of the enforcement cases below can be found in the November agenda on the FPPC website at www.fppc.ca.gov. FPPC agendas are distributed and posted on the agency website 10 days prior to each monthly meeting.

The web version of the agenda includes links to the stipulations agreed to by the commission and by the individuals and organizations subject to the fines, or the default decisions proposed to the commission. Exhibits in support of the stipulations and proposed default decisions are also available on the website. If you are unable to access the FPPC website, or need further assistance, please call the FPPC communications office at (916) 322-7761.

Campaign Reporting Violations

Michelle Berman caused a \$1,000 contribution to the Friends of John Guardino committee to be made in the name of three separate intermediaries. **\$15,000 fine.**

John Dragone, Committee to Elect John Dragone and Kathy Dragone. John Dragone was a candidate for El Segundo City Council, Committee to Elect John Dragone was his candidate-controlled committee, and Kathy A. Dragone was the committee's treasurer. They failed to file five semi-annual campaign statements. **\$10,000 fine.**

John Guardino, Friends of John Guardino, and Linell Hardy. John Guardino was a successful candidate for Cotati City Council in the November 7, 2006 election, Friends of John Guardino was John Guardino's candidate-controlled committee, and Linell Hardy was the committee's treasurer. They received a cash contribution of \$100 or more and improperly reported that a contribution from George Barich was from three individuals, Adrienne Lauby, Tim Foley, and Robin Birdfeather, such that the identity of the true donor was not disclosed. **\$9,000 fine.**

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Rachel Neville, Neville for Water Board, and Mark Neville, Treasurer. Rachel Neville was an unsuccessful candidate for the Newhall County Water Board of Directors in the November 6, 2007, election. The Neville for Water Board committee was established on or about September 25, 2007, but no campaign statements applicable to a recipient committee were filed. Rachel Neville filed instead a Short Form (470) on or about October 5, 2007, certifying that she planned to receive contributions and make expenditures of less than \$1,000 in a calendar year. However, she received contributions and made expenditures in excess of \$10,000 in connection with the campaign. Rachel Neville violated Government Code Section 84206 because she did not qualify to file the Short Form declaration at the time she filed the form and misled the public about her campaign activities. In addition, she also failed to file a pre-election campaign statement, failed to file a semi-annual campaign statement, and failed to disclose specific contributions and expenditures of \$100 or more. **\$8,500 fine.**

Adrienne Lauby, acting as an agent or intermediary, made a contribution on behalf of another person, such that the identity of the donor was not reported. **\$4,500 fine.**

Robin Birdfeather, acting as an agent or intermediary, made a contribution on behalf of another person, such that the identity of the donor was not reported. **\$500 fine.**

Hermosa Beach Police Officer's Association Political Action Committee and J.R. Smith. J.R. Smith was the treasurer of Hermosa Beach Police Officer's Association Political Action Committee. In this matter, they failed to timely file two supplemental independent expenditure reports for the period ending October 17, 2009; failed to timely itemize expenditures on a pre-election campaign statement and a semi-annual campaign statement for the periods ending October 17, 2009, and December 31, 2009, respectively and failed to timely file a semi-annual campaign statement for the period ending December 31, 2009. **\$1,000 fine.**

Major Donor Violation

A major donor is a person or entity who makes contributions totaling \$10,000 or more in a calendar year and is required to file campaign reports detailing how much was contributed and to whom. The following failed to file major donor reports as required by law:

Laurie Burt, of San Diego, failed to timely file a semi-annual campaign statement disclosing a contribution totaling \$25,900 in 2009. **\$400 fine.**

Baldwin & Sons, LLC and its Owner, Alfred Baldwin, of San Diego, failed to timely file a semi-annual campaign statement disclosing contributions totaling \$12,850 in 2009. **\$400 fine.**

Kelly Swette, of Pebble Beach, failed to timely file a semi-annual campaign statement disclosing a contribution totaling \$14,100 in 2009. **\$400 fine.**

Brian Swette, of Pebble Beach, failed to timely file a semi-annual campaign statement disclosing a contribution totaling \$25,900 in 2009. **\$400 fine.**

Statements of Economic Interests Violations

California law requires elected officials, certain board members and governmental employees, and consultants employed by governmental entities to complete and file Statements of Economic Interests (SEIs or Form 700s). SEIs serve a dual purpose: they make a filer aware of personal economic interests relative to a governmental decision, and they are an important disclosure document for the public and media.

The following individuals failed to file their Statement of Economic Interests forms on time:

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Anthony Vollerling, Alternate Commissioner for the Cut Flower Commission, failed to timely file an assuming Office Statement of Economic Interests, a 2008 annual Statement of Economic Interests, and a 2009 annual Statement of Economic Interests. **\$600 fine.**

Aliitama Sotoa, Board of Ethics member, City of Chula Vista, failed to file an assuming office Statement of Economic Interests by the deadline of October 1, 2009. **\$400 fine.**

Dierdre Gilliam, Yolo County Director for Public Health Nursing, failed to timely file her 2009 annual Statement of Economic Interests. **\$200 fine.**

Roger Vintze, Senior Hazardous Substance Scientist for the Department of Toxic Substances, failed to timely file a 2009 annual Statement of Economic Interests. **\$200 fine.**

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